



U.S. Department  
of Transportation

**Research and  
Special Programs  
Administration**

400 Seventh Street, S.W.  
Washington, D.C. 20590

**JUN 17 2004**

DOT-E 7971  
(FIFTH REVISION)

EXPIRATION DATE: May 31, 2006

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Kidde Aerospace  
Wilson, North Carolina  
(Former grantee: Walter Kidde Aerospace, Inc.)  
Wilson, North Carolina
2. PURPOSE AND LIMITATIONS:
  - a. This exemption authorizes the manufacture, mark, sale and use of non-DOT specification cylinders for the transportation of a Division 2.2 compressed gas. This exemption provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein.
  - b. The safety analyses performed in development of this exemption only considered the hazards and risks associated with transportation in commerce.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR §§ 173.302a and 173.304a, in that non-DOT specification cylinders are not authorized except as specified herein; and § 175.3.
5. BASIS: This exemption is based on the application of Walter Kidde Aerospace, Inc., dated March 17, 2004, submitted in accordance with § 107.109.

JUN 17 2004

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Proper Shipping Name/ Hazardous Material Description	Hazard Class/ Division	Identi- fication Number	Packing Group
Compressed gas, n.o.s. (Mixture of bromotrifluoromethane and nitrogen)	2.2	UN1956	N/A

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packaging prescribed is a non-DOT specification cylinder made in conformance with DOT 4D specification (§ 178.35 and § 178.53) except as follows:

- §178.35(a) - Does not apply. Instead, service pressure is 700 pounds per square inch.
- §178.35(c) - Inspections and verifications must be performed by an independent inspection agency. Chemical analysis and tests as specified must be made within the United States.
- §178.53(m) - Replace "DOT 4D" with "DOT-E 7971."

b. TESTING - Each cylinder must be requalified and maintained in accordance with §§ 180.205 and 180.209 as prescribed for DOT 4D cylinders.

c. OPERATIONAL CONTROLS -

1. Cylinders must be shipped in strong outside packagings in accordance with § 173.301(a)(9).
2. Cylinders marked with "DOT SP 2356" manufactured before December 1972 and requalified prior to reuse in accordance with §§ 180.205 and 180.209 as prescribed for DOT 4D cylinders may be shipped under the terms of this exemption.
3. No new construction is authorized after December 31, 1980.

JUN 17 2004

8. SPECIAL PROVISIONS:

a. In accordance with the provisions of Paragraph (b) of § 173.22a, persons may use the packaging authorized by this exemption for the transportation of the hazardous materials specified in paragraph 6, only in conformance with the terms of this exemption.

b. A person who is not a holder of this exemption, but receives a package covered by this exemption, may reoffer it for transportation provided no modifications or changes are made to the package and it is offered for transportation in conformance with this exemption and the HMR.

c. A current copy of this exemption must be maintained at each facility where the package is offered or reoffered for transportation.

d. Each packaging manufactured under the authority of this exemption must be marked with a registration symbol designated by the Office of Hazardous Materials Exemptions and Approvals for a specific manufacturing facility.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle, rail freight, cargo vessel, cargo aircraft only, and passenger-carrying aircraft.

10. MODAL REQUIREMENTS: A current copy of this exemption must be carried aboard each cargo vessel or aircraft used to transport packages covered by this exemption. The shipper must furnish a current copy of this exemption to the air carrier before or at the time the shipment is tendered.

11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this exemption and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:

- o All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.

- o Persons operating under the terms of this exemption must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.

- o Registration required by § 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this exemption must receive training on the requirements and conditions of this exemption in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this exemption, including display of its number, when this exemption has expired or is otherwise no longer in effect.

12. REPORTING REQUIREMENTS: The carrier is required to report any incident involving loss of packaging contents or packaging failure to the Associate Administrator for Hazardous Materials Safety (AAHMS) as soon as practicable. (Sections 171.15 and 171.16 apply to any activity undertaken under the authority of this exemption.) In addition, the holder(s) of this exemption must also inform the AAHMS, in writing, as soon as practicable of any incidents involving the package and shipments made under this exemption.

Issued in Washington, D.C.



*fe* Robert A. McGuire  
Associate Administrator for  
Hazardous Materials Safety

JUN 17 2004

(DATE)

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Research and Special Programs Administration, Department of Transportation, Washington, D.C. 20590.  
Attention: DHM-31.

Copies of this exemption may be obtained by accessing the Hazardous Materials Safety Homepage at <http://hazmat.dot.gov/exemptions> Photo reproductions and legible reductions of this exemption are permitted. Any alteration of this exemption is prohibited.

PO: KFW/dl